

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on January 30, 2009
at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Mary Caferro (D)
Rep. Gary MacLaren (R)

Members Absent: Rep. Tony Belcourt (D)
Rep. Betsy Hands (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 266, 1/20/2009; HB 363, HB 364,
1/26/2009

Executive Action: HB 192

00:02:22 Rep. Caferro entered the room.

HEARING ON HB 266

Opening Statement by Sponsor:

00:02:53 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 266, Eliminate member contribution requirements for DROP participants of MPORS.

Proponents' Testimony:

00:05:52 Jerry Williams, Executive Director, Montana Police Protective Association

EXHIBIT(sth22a01)

00:11:02 Rep. Hands entered the room.

00:12:22 Jack Allen, Lieutenant, Great Falls Police Department

00:14:07 Brian Lockerby, Lieutenant, Great Falls Police Department

00:15:17 Tim Shanks, Captain, Great Falls Police Department; Executive Board Member, Montana Association of Chiefs of Police

00:16:56 Roy Wickman, Self

00:18:13 Marty Ludemann, Missoula Police Department

EXHIBIT(sth22a02)

00:19:05 Mark Horner, Sergeant, Missoula Police Department

00:20:05 Pam Bucy, Montana Police Protective Association; Montana Association of Chiefs of Police

EXHIBIT(sth22a03)

00:24:52 Tom Schneider, Montana Public Employees Association

Opponents' Testimony:

00:27:56 David Ewer, Budget Director, Governor's Office

00:31:52 Rep. Belcourt entered the room.

Informational Testimony:

00:38:51 Roxanne Minnehan, Executive Director, Montana Public Employee Retirement Administration

Questions from Committee Members and Responses:

00:41:29 Rep. Ingraham

00:41:55 Mr. Allen

00:41:58 Rep. Ingraham

00:42:10 Mr. Allen

00:42:13 Rep. Ingraham

00:42:35 Mr. Allen

00:43:43 Rep. Washburn
00:44:17 Mr. Allen
00:44:20 Rep. Washburn
00:44:41 Mr. Allen
00:45:23 Rep. Brown
00:46:21 Mr. Williams
00:46:32 Rep. Brown
00:47:08 Mr. Williams
00:47:54 Rep. Brown
00:48:24 Mr. Williams
00:49:13 Rep. Brown
00:49:45 Mr. Williams
00:51:51 Rep. Dickenson
00:52:20 Ms. Minnehan
00:52:26 Rep. Dickenson
00:52:57 Ms. Minnehan
00:53:35 Rep. Boniek
00:53:54 Mr. Schneider
00:55:18 Rep. Washburn
00:55:48 Ms. Minnehan
00:55:54 Rep. Washburn
00:56:17 Ms. Minnehan
00:57:02 Rep. O'Hara
00:57:18 Ms. Minnehan
00:58:23 Rep. Hands
00:58:44 Ms. Minnehan
00:58:58 Chairman Himmelberger
00:59:06 Ms. Minnehan
00:59:16 Rep. Malek
00:59:35 Mr. Wickman
00:59:36 Rep. Malek
00:59:55 Mr. Wickman
01:00:38 Rep. Malek
01:00:59 Mr. Wickman
01:02:42 Chairman Himmelberger
01:02:48 Rep. Phillips
01:03:10 Mr. Ewer

Closing by Sponsor:

01:04:33 Rep. Hollenbaugh
01:05:21 Chairman Himmelberger

01:07:06 Committee takes a break.
01:13:56 Committee reconvenes. Rep. Hands, Rep. MacLaren, and
Rep. Van Dyk are not present after the break.

HEARING ON HB 363

Opening Statement by Sponsor:

01:14:10 Rep. Llew Jones (R), HD 27, opened the hearing on HB 363, Use retired teachers/administrators to fill vacancies without applicants.

EXHIBIT(sth22a04)

Proponents' Testimony:

01:20:41 Darrell Rud, Executive Director, School Administrators of Montana

01:23:38 Bob Vogel, Montana School Boards Association

01:25:07 Dave Puyear, Montana Rural Education Association

01:28:53 Rep. William Glaser, HD 44, Huntley

01:31:04 Tom Bilodeau, MEA-MFT

01:34:13 David Senn, Executive Director, Teachers' Retirement System

EXHIBIT(sth22a05)

01:38:10 Rep. Hands entered the room.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:41:07 Rep. Hendrick

01:42:07 Mr. Senn

01:43:23 Rep. O'Hara

01:44:24 Mr. Vogel

01:44:49 Rep. O'Hara

01:45:00 Mr. Vogel

01:45:06 Mr. Bilodeau

01:45:33 Rep. Ingraham

01:46:03 Mr. Rud

01:47:48 Rep. Bean

01:48:26 Mr. Senn

01:49:18 Rep. Brown

01:49:41 Mr. Senn

01:49:48 Rep. Dickenson

01:50:21 Rep. Jones

01:50:58 Rep. Malek

01:51:41 Mr. Senn

01:53:47 Rep. Bean

01:54:08 Mr. Senn

01:54:45 Chairman Himmelberger

01:55:12 Rep. Jones

01:55:37 Chairman Himmelberger
01:55:50 Rep. Jones
01:56:40 Chairman Himmelberger
01:57:43 Rep. Jones
01:58:54 Chairman Himmelberger
01:59:17 Rep. Jones
01:59:55 Chairman Himmelberger

Closing by Sponsor:

01:59:57 Rep. Jones
02:03:51 Chairman Himmelberger

HEARING ON HB 364

Opening Statement by Sponsor:

02:04:05 Rep. Dan Villa (D), HD 86, opened the hearing on HB
364, Establish administrative code committee.

EXHIBIT(sth22a06)

Proponents' Testimony:

02:08:27 Gary Spaeth, Self
02:15:17 Jim Glantz, Self
02:19:45 Hal Harper, Self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:23:00 Rep. Brown
02:23:37 Rep. Villa
02:23:52 Rep. Brown
02:24:05 Rep. Villa
02:24:50 Rep. Brown
02:25:25 Rep. Villa
02:25:30 Rep. Brown
02:25:41 Rep. Malek
02:26:11 Rep. Villa
02:27:20 Rep. Malek
02:28:03 Rep. Villa
02:28:53 Rep. Hands
02:29:11 Rep. Villa
02:29:49 Rep. Hands
02:30:23 Rep. Villa
02:30:31 Rep. Hendrick exited the room.

Closing by Sponsor:

02:31:35 Rep. Villa
02:33:20 Chairman Himmelberger
02:33:40 Rep. Dickenson
02:33:46 Chairman Himmelberger

EXECUTIVE ACTION ON HB 192

02:33:55 **Motion:** Rep. Brown moved that **HB 192 DO PASS.**

Discussion:

02:33:59 Chairman Himmelberger
02:34:23 Rep. Belcourt exited the room.
02:35:03 Ms. Heffelfinger

EXHIBIT(sth22a07)

02:37:41 **Motion:** Rep. Himmelberger moved that **HB 192 BE AMENDED.**
EXHIBIT(sth22a08)

Discussion:

02:38:09 Ms. Heffelfinger
02:42:07 Chairman Himmelberger
02:42:11 Rep. Brown
02:42:35 Ms. Heffelfinger
02:42:49 Rep. Phillips
02:43:36 Rep. Dickenson
02:45:17 Rep. Malek
02:45:30 Chairman Himmelberger
02:46:11 Rep. Wilmer
02:46:44 Chairman Himmelberger
02:46:45 Ms. Heffelfinger
02:47:06 Rep. Wilmer
02:47:10 Ms. Heffelfinger
02:47:17 Rep. Wilmer
02:47:26 Ms. Heffelfinger
02:47:32 Rep. Hands
02:48:32 Rep. Phillips

02:48:44 **Vote:** Motion carried 13-5 by roll call vote with Rep. Belcourt, Rep. Caferro, Rep. Hands, Rep. MacLaren, and Rep. Van Dyk voting no. Rep. Belcourt, Rep. Van Dyk, Rep. Hendrick, and Rep. MacLaren voted by proxy.

02:50:23 **Motion:** Rep. Brown moved that **HB 192 DO PASS AS AMENDED.**

Discussion:

02:50:29 Chairman Himmelberger

02:50:37 Rep. Brown

02:50:58 **Vote:** Motion carried 13-5 by voice vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, and Rep. Van Dyk voting no. Rep. Belcourt, Rep. Van Dyk, Rep. Hendrick, and Rep. MacLaren voted by proxy.

02:51:39 Chairman Himmelberger

ADJOURNMENT

02:51:51 Adjournment: 10:51 A.M.

Marshall McEwen, Secretary

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Additional Documents:

EXHIBIT ([sth22aad.pdf](#))